

ARTICLE 5
MANAGEMENT RIGHTS

Section 1: Retained Management Rights

In accordance with Section 7106, Title VII, Civil Service Act of 1978, management officials retain the right to determine the mission, budget, organization, number of EMPLOYEES, and internal security practices of the agency; and in accordance with applicable laws:

- a. to hire, assign, direct, layoff, and retain employees in the agency, or to suspend, remove, reduce in grade or pay, or take other disciplinary action against such employees;
- b. to assign work, to make determinations with respect to contracting out, and to determine the personnel by which agency operations shall be conducted;
- c. with respect to filling positions, to make selections for appointments from among properly ranked and certified candidates for promotion or any other appropriate source; and,
- d. to take whatever actions may be necessary to carry out the agency mission during emergencies.

Section 2: Negotiable matters

Nothing in this Article shall preclude the IHSHQE and UNION from negotiating:

- a. at the election of IHSHQE and in accordance with Executive Order 12871, on the numbers, types, and grades of employees or positions assigned to any organizational subdivision, work project, or tour of duty, or on the technology, methods, and means of performing the work;
- b. procedures which management officials of IHSHQE will observe in exercising any authority under this Article; or
- c. appropriate arrangements for employees adversely affected by the exercise of any authority under this Article by such management officials.

Section 3: Informal Counseling

IHSHQE retains the right to hold counseling sessions with employees without the presence of UNION so long as these are

informal discussions. It is not intended that this language will limit UNION's right to attend formal meetings under the law.